

**To:** Okeefe, Colleen (DEQ)[OKEEFEC@michigan.gov]  
**Cc:** Pennala, Virginia (DEQ)[PENNALAV@michigan.gov]  
**From:** Burdick, Melanie  
**Sent:** Tue 8/23/2016 7:11:31 PM  
**Subject:** RE: Aquila Resources, Inc. permit application for wetland and stream impacts; DEQ file no. 2B5-QHB6-CZE8  
[2010-00823-255-A16-Corps comments toEPAfinal29Jul2016.pdf](#)

Here it is.

**From:** Okeefe, Colleen (DEQ) [mailto:OKEEFEC@michigan.gov]  
**Sent:** Tuesday, August 23, 2016 2:02 PM  
**To:** Burdick, Melanie <Burdick.Melanie@epa.gov>  
**Cc:** Pennala, Virginia (DEQ) <PENNALAV@michigan.gov>  
**Subject:** FW: Auila Resources, Inc. permit application for wetland and stream impacts; DEQ file no. 2B5-QHB6-CZE8

Melanie, can you share the USACE comments?

**From:** Donohue, Steve [mailto:Steve.Donohue@Foth.com]  
**Sent:** Tuesday, August 23, 2016 2:34 PM  
**To:** Pennala, Virginia (DEQ)  
**Cc:** Maki, Joe (DEQ); Humphrey, Melanie (DEQ); Wilson, Kristina (DEQ); Casey, Steve (DEQ); 'Andrew Boushy (aboushy@aquilaresources.com)' (aboushy@aquilaresources.com); Okeefe, Colleen (DEQ)  
**Subject:** RE: Auila Resources, Inc. permit application for wetland and stream impacts; DEQ file no. 2B5-QHB6-CZE8

Hi Ginny,

Thanks for the email summary on path forward. We are progressing per your guidance and our discussions. I will likely be contacting you tomorrow with a few questions. On a related note, is it possible for you to get a copy of the comments from U.S. Army Corps of Engineers that is referenced in the EPA letter and provide that to us?

Please advise.

Steve

**Stephen V. Donohue, PH**

**Vice President - Mining**

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**From:** Pennala, Virginia (DEQ) [<mailto:PENNALAV@michigan.gov>]

**Sent:** Tuesday, August 23, 2016 12:16 PM

**To:** Donohue, Steve

**Cc:** Maki, Joe (DEQ); Humphrey, Melanie (DEQ); Wilson, Kristina (DEQ); Casey, Steve (DEQ); 'Andrew Boushy ([aboushy@aquilaresources.com](mailto:aboushy@aquilaresources.com))' ([aboushy@aquilaresources.com](mailto:aboushy@aquilaresources.com)); Okeefe, Colleen (DEQ)

**Subject:** Auila Resources, Inc. permit application for wetland and stream impacts; DEQ file no. 2B5-

QHB6-CZE8

Hi Steve, this note is to follow up on our August 19, 2016 meeting here in the DEQ district office, including phone conferencing with John and Matt, also of FOTH. Here is a summary of our discussion regarding the August 9 revision of the application referenced above, for your reference:

You and the other FOTH representatives went through DEQ's July 7, 2016 email requesting information on resource impacts missed in the previously public noticed application, along with resource impact mitigation information also requested. FOTH explained which sections, maps and figures were added and/or revised in the current version of the application, as submitted via email on August 9, 2016, in response to the referenced July 7 document.

On the same date, just prior to our meeting, you were provided with the August 15, 2016 EPA objection letter, sent in response to the previously public noticed version of the application. We went through the body of the letter that states what DEQ must request from you in the form of project information, included in the bulleted list on page 2 of the letter, as discussed in our meeting. We also went through the letter attachment including the list of concerns identified during federal agency review of the application. The purpose of going through the EPA objection letter and attachment was to inform you of the objection, and to advise that under federal rule DEQ has 90 days from the date of the objection letter to take a final action on the application. Since November 13 is a Sunday, this means that the action must be taken by November 11, 2016. It is suggested that you respond to the items in the EPA objection with a letter to DEQ referencing what parts of the August 9 revised application address the issues included the objection letter. It is also suggested that you provide information submitted as part of your 632 permit application that addresses some of the information requested, as discussed in our meeting.

It is advised that you begin work on this prior to the DEQ's completion of review of the August 9 revised application submittal, although our review comments will include the page 2 bulleted list of DEQ responsibilities in the EPA's objection letter if any of the items included are found to be covered inadequately in the revised application. EPA will likely not extend the time frame to address the objections due to DEQ's re-public noticing of the latest application.

Thank you for taking the time to meet; it was helpful. Please let me know if you have any questions.

Ginny Pennala

DEQ, UP District Office

WRD

Water Resources Unit District Supervisor

1504 W. Washington St.

Marquette, MI 49855

Please note new phone number effective Oct. 19, 2015:

906-250-6176

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